

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

KEVIN LEWIS,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 2/1/2024

1:16-cr-396-GHW-9

ORDER

GREGORY H. WOODS, United States District Judge:

On October 18, 2017, the defendant was sentenced principally to a term of imprisonment of 109 months. On November 8, 2023, the defendant filed a motion (the “Motion”) requesting that this court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline amendment which went into effect on November 1, 2023 and applies retroactively. Dkt. No. 854. The United States Probation Department has issued a report indicating that the defendant is not eligible for a sentence reduction.

The Court has considered the record in this case, and the Motion, pursuant to 18 U.S.C. § 3582(c)(2).

It is hereby ORDERED that the defendant is ineligible for this reduction because he did not receive an enhancement for committing the instant offense while under a criminal justice sentence and he did not have zero criminal history points. As a result, the Motion is denied.

The Clerk of Court is directed to mail a copy of this order, together with the Court’s order filed at Dkt. No 857, to Mr. Lewis by first class mail.

SO ORDERED.

Dated: February 1, 2024
New York, New York


GREGORY H. WOODS
United States District Judge